

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
NEW ENGLAND
5 POST OFFICE SQUARE, BOSTON, MA 02109-3912**

MEMORANDUM

DATE: November 16, 2015

SUBJ: Inspection Report: TSCA Section 402c ("RRP Rule") Compliance Inspection of:
Brady Sullivan Properties, LLC at the "Lofts at Mill West" or "Mill West,"
Located at 195 McGregor Street, Manchester, New Hampshire

FROM: Molly Magoon, Environmental Protection Specialist/ Enforcement Officer *M. Magoon*
Alma Padilla, Senior Environmental Employee (EPA Grantee)/ Inspector *Alma Padilla*
EPA Region 1, Office of Environmental Stewardship (OES), Toxics and Pesticides Unit (TPU)

THRU: Sharon Hayes, Manager, TPU, OES

TO: File

I. General Information

A. Firm and Address:

Brady Sullivan Properties, LLC (hereinafter "Brady Sullivan")
670 N. Commercial Street, Suite 303
Manchester, NH 03101

B. Location of Inspection:

Lofts at Mill West (hereinafter "Mill West")
195 McGregor Street
Manchester, NH 03101

B. Date of Inspection:

5/12/15

C. Personnel Participating in Inspection (name, title, affiliation):

Molly Magoon, EPA Enforcement Officer
Alma Padilla, EPA-SEE Grantee, Inspector
Scott Pellerin, EPA- Chelmsford Laboratory
Knatalie Vetter, NH DHHS
Ross Malcolm, NH DHHS
Philip Alexakos, City of Manchester Health Department
Gabriel Porter, US DOL-OSHA (OSHA)
Marc Pinard, Esq., Brady Sullivan
Jesse Wright, CEO, Environmental Compliance Specialists, Inc. (hereinafter "ECST")
Joldie Battista, Site Supervisor for ECSI

II. Purpose of Inspection and Background Information

- A. How Firm Was Selected/ Objectives of Inspection: Due to referrals from the NH DHHS and the City of Manchester Health Department, plus several complaints received from residents of Mill West.
- B. Background Information on Firm: Numerous previous inspections of Brady Sullivan by EPA for lead disclosure (1) and RRP (2) compliance; no citations, but one "Close-out Letter" was sent to Marc Pinard, Esq. of Brady Sullivan, dated March 5, 2014, by Alec Aman of EPA as follow-up to the EPA inspection on January 29, 2014 (See Attachment 1).
- C. Account of Pre-Inspection Communications with Firm: Prior inspections of Brady Sullivan only; did not contact Brady Sullivan or its sub-contractor prior to arrival at the site. Sub-contractor is "Environmental Compliance Specialists, Inc." ("ECSI"), Mr. Jesse Wright, CEO/Founder, of POB 1147, Atkinson, NH 03811; address: 111 Route 125, Kingston, NH 03848. City of Manchester and the NH DHHS personnel may have contacted both of them prior to their arrival on May 12, 2015. OSHA inspector also inspected this site for OSHA compliance.

III. Inspection Time and Paperwork

- A. Start Time: 2:00 pm
- B. End Time: 5:30 pm
- C. EPA Inspector Credential Presented: Yes X to the following company representative(s)
Name: Marc Pinard; Title: Esquire, for Brady Sullivan acting as General Contractor;
Name: Jesse Wright; Title: CEO, ECSI, acting as sub-contractor to Brady Sullivan
- D. Forms (Check those signed and if attached. If not signed, add brief explanation as to why.)
(See Attachments 2 and 3: signed NOI and TSCA CBI forms)
1. Notice of 1018 Inspection Form: N/A*
(*1018 Inspection conducted on 6/03/15: separate Inspection Report)
 2. Notice of RRP Inspection Form: signed (Yes X) see attached
 3. TSCA Confidentiality Form: signed (Yes X) see attached
 4. Receipt for Documents Form: signed (No X); N/A, no records collected during the on-site inspection.

IV. Business Operations

When was entity established? Brady Sullivan was established in 1992 in Manchester, NH. BS purchased Mill West property in 2007 from its prior owner, Elbes Associates.

What services are provided? Brady Sullivan provides various real estate services: property management (sales, leasing and maintenance for target housing units) and real estate development.

- A. Number of employees: 75+
- B. Number of target housing units at inspection site property: Mill West: 98 units; with ongoing renovation to develop ~ 98 additional target housing units in work site area (1st and 2nd floors). Property is owned by Brady Sullivan Millworks II, LLC. Different phases of the development of the Mill West and adjoining property, the "Annex" building (~80 target housing units connected by walkway to Mill West), are owned by different single purpose entities as follows:
- Phase 1: renovation and redevelopment into 91 target housing units on 3rd and 4th floors owned by Brady Sullivan Millworks II, LLC (Timeframe: Sept. 2012 - started building; Sept. 4, 2013 - open for leasing);
 - Phase 2: renovation and redevelopment of the "Annex" with 80 target housing units owned by Brady Sullivan Millworks III, LLC (Timeframe: "Annex" property: Dec. 2013 - started building Dec. 2014 - started leasing); and
 - Phase 3: renovation and redevelopment into 98 target housing units on 1st and 2nd floors owned by Brady Sullivan Millworks IV, LLC (Timeframe: started sandblasting 1st and 2nd floors May 2015 with permit issued to BS for converting portion of property into 110 residential units) (see Attachment 4: Copy of Building Permit).

Number of other Brady Sullivan properties: (see Attachment 5: List of Brady Sullivan's Target Housing properties) and List of Brady Sullivan properties through EPA research, including: property name; location, build date ("b.") and # of target housing units:

NH - 14 complexes (8 TH properties with ~ 500 units):

- 1). Lofts at Mill #1 (300 Bedford St., Manchester) (b. 1889-1891) (110 units);
- 2). Mill West, Manchester - renovated mill building (b. 1889-1891) (presently 110 units; w/ an additional 110 units will be constructed);
- 3). The Annex at Mill West, Manchester (b. ~1889) (110 units);
- 4). Gold St Duplexes, Manchester (b. 1964) (2 bldgs. / 4 units);
- 5). Southside Manor, Manchester (b. 1970) (14 bldgs. / 108 units);
- 6). Stonehenge Litchfield, Litchfield (b. 1970) (3 bldgs. / 17 units);
- 7). Roysan Street Duplexes, Manchester (b. 1963) (7 bldgs. / 14 units); and
- 8). Stonehenge Londonderry, Londonderry (b. 1971-1972) (8 bldgs. / 32-64 units)

MA - 4 complexes (3 TH properties with ~575 units under construction):

- 1). Lancaster Mill, Clinton (b. 1844) - renovated mill building with ~ 132 units, Phase 2 about to start;
- 2). Pacific Mills, Lawrence (b. 1889-90) conversion project from its former commercial use to target housing units that is currently being worked on by Environmental Compliance Specialists, Inc. (ECSI) (Projected # of units: 345); and
- 3). Junction Shops Mill, Worcester, conversion project from its former commercial use to target housing units (b. 1851) (>100 units)

RI - 8 complexes (7 TH properties with ~900 units (some are under construction)):

- 1). American Tourister Mill (b. 1896) under construction: conversion project from commercial into target housing, Warren (~ 190 units);
- 2). American Wire Lofts, Pawtucket (b. 1900) (141 units);
- 3). Grant Mill, Providence (b. 1890) (85 units);
- 4). Harris Mill Lofts, Coventry (b. 1850) (170 units);
- 5). Lofts at Anthony Mill, Coventry (b. 1868) (113 units);

- 6). Lofts at Pocasset Mill, Johnston (B. 1898) (92 units); and
- 7). Slater Mill, Pawtucket (B. 1882) (142 units)

- C. Total # of Target Housing Properties and Units: 18 target housing properties with ~ 1,975 units;
- D. Section 8 vouchers at Mill West: none; at other properties: unknown

V. **1018 Rule Inspection:** 1018 Inspection was not done during this inspection on 5/12/15; 1018 Inspection conducted on June 3, 2015 (see separate Inspection Report)

VI. **RRP Rule Inspection**

- A. Had entity heard of the RRP Rule? Yes X; How? Mr. Pinard of Brady Sullivan was informed about EPA's RRP Rule and Lead Disclosure Rule during previous EPA inspections: on August 22, 2012 (RRP and 1018), based on complaints regarding issues at another Brady Sullivan property (300 Bedford St., Manchester, NH) and on January 29, 2014 (RRP only), for complaints about the commercial facility, "Extra Space Storage," which was a commercial tenant at the Brady Sullivan property "Mill West." The vacant areas on the 1st and 2nd floors of the Mill West building were being renovated under a City of Manchester permit issued to Brady Sullivan to rehab into residential units.
- B. Did entity have EPA RRP Firm Certification? No X; Brady Sullivan does not have RRP Firm Certification even though it is acting as the General Contractor for the ongoing renovation and redevelopment work.

ECSI was the sub-contractor hired to sandblast the lead paint from the walls and pillars on the 1st floor (north end of building) and also from the "Piano Room" (southeast corner of the building) of the Mill West. ECSI is an RRP certified firm, which was also inspected on 5/12/15 at the Mill West facility. Both BS and ECSI were inspected again as follow-up on 6/03/15- see separate Inspection Reports.

If "Yes", is certificate attached? No X; A copy of the ECSI RRP certificate was not collected during the site visit. ECSI's firm certification was confirmed online: RRP Certified Firm Certificate #: NAT-51986-1, expires June 2, 2015. ECSI has applied for re-certification.
- C. Did entity have Certified Renovators on staff? No X
- D. Does entity have a system of keeping records of RRP Compliance for subject jobs? (If so, Describe):

Brady Sullivan claimed that the sandblasting work was being done on the "commercial" part of the property and was therefore not considered to be RRP work, but rather an OSHA regulated "Lead in Construction" job. ECSI claimed the same, as well as the fact that BS never informed them that the work site area was being renovated into residential units.
- E. Did entity perform jobs subject to RRP Rule?
Yes X

F. Was inspection a...

1. Work practice inspection? Yes X. If "Yes," please complete only the rest of this page and attach at least one of the following.
 - a. Checklist attached? Yes X
 - b. Field notes attached? No X (See notes made on Checklist (above))
 - c. Narrative of work practice inspection attached? Yes X
2. Records inspection? No X; No records were on-site. A follow-up visit was conducted on June 3, 2015 at ECSI's office in Kingston, NH. EPA inspectors were told by Jesse Wright of ECSI that there were no written contracts for any of the work done by ECSI for BS, not just at the Mill West property, but for other Brady Sullivan properties. Lead dust testing records were collected. Most recently, a report drafted by Les A. Cartier Associates (LCA) states that 88 of 98 Mill West units tested contain lead dust at levels greater than the EPA standards for lead hazards (see Attachment 6, copy of LCA report). This is being addressed with an EPA clean-up order and plan brought under the authority and provisions of EPA's Resource Conservation and Recovery Act (RCRA 7003) (see Attachment 7, copy of EPA Order, dated June 19, 2015). Collection of more information is necessary, but not completed to date.

VII. Compliance Assistance

What compliance assistance was provided? A copy of Region 1's Lead Compliance Assistance Outreach Packet with RRP Rule Compliance Assistance information was given to both Mr. Pinard and Mr. Wright during the on-site inspection on May 12, 2015.

VIII. Records Review:

- A. How many job records did the inspector review? No records except for a copy of the City Permit issued to BS for renovation work was collected. The permit was issued on April 21, 2015 to Brady Sullivan for construction of 110 residential- "dwelling" units on ground and second floors.
- B. How were jobs selected for review? Only the job involving renovations at Mill West due to several tenant complaints received. The investigation was not expanded to other properties. Marc Pinard stated during the inspection that there was not much in the way of RRP work done to the existing residential units at Mill West, as the construction on the renovated units is new and work, if any was minor.
- C. How many jobs suggested potential non-compliance? At least one at the Mill West location. Since the May 12, 2015 inspection, EPA has learned of other ongoing renovation work at other BS-owned mill/factory buildings being converted into residential units in Massachusetts and Rhode Island. ECSI is also involved with the sandblasting of other BS-owned properties undergoing conversions for use from commercial to residential.

IX. Other Agencies Present during EPA's RRP Inspections at the Mill West Work Site

There are several other government agencies involved with the Mill West work site.

On May 11, 2015, the City of Manchester Building Department stopped the sandblasting work at the Mill West property due to the fact that it was not included in the building permit issued to Brady Sullivan. This action occurred after city officials went to the site and made observations due to receiving complaints from residents of the Mill West property. On the same day, EPA received a referral from the states about the site and a complaint about the ongoing work at Mill West. The next day, on May 12, 2015, EPA inspectors Magoon, Padilla and Pellerin met at the Mill West site. Other agencies' representatives were also present:

- Phillip Alexakos of the City of Manchester, NH;
- Knatalie Vetter and Ross Malcolm, of the New Hampshire Department of Health and Human Services (NH DHHS, Concord, NH office; and
- Gabriel Porter, U.S. Department of Labor- Occupation Safety and Health Administration, Concord, NH office.

List of Attachments

1. Copy of "Close-out Letter" was sent to Marc Pinard, Esq. of BS, dated March 5, 2014, by Alec Aman of EPA as follow to the EPA inspection on January 29, 2014;
2. Copy of signed NOI form, dated May 12, 2015;
3. Copy of signed TSCA CBI form, dated May 12, 2015;
4. Copy of City of Manchester Building Permit issued to Brady Sullivan, dated April 21, 2015;
5. List of Brady Sullivan Properties, dated 11/16/15;
6. Copy of Les A. Cartier and Associates report: "Plan for Lead Dust Wipe Analysis / Lead Dust Hazard Mitigation" prepared by American Environmental Testing Services of New England, LLC (AETS): 195 McGregor St, Manchester NH (see Plan 2 of 3, Section 5.1, Page 5), dated August 11, 2015; and
7. Copy of EPA's Resource Conservation and Recovery Act (RCRA 7003) Emergency Order issued to Brady Sullivan, dated June 19, 2015.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 1

**5 Post Office Square, Suite 100
Boston, MA 02109-3912**

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

MAR 05 2014

Marc A. Pinard, Esq., General Counsel
Brady Sullivan Properties, LLC
670 North Commercial Street
Manchester, New Hampshire 03101

Re: January 29, 2014 EPA Inspection of Brady Sullivan Properties, LLC to Determine Compliance with the Renovation, Repair and Painting Rule

Dear Mr. Pinard,

The New England Office of the U. S. Environmental Protection Agency ("EPA") has completed a review of the information which I, as an EPA inspector, gathered during an inspection at your office located at 670 North Commercial Street in Manchester, New Hampshire on January 29, 2014. The inspection was initiated in response to a complaint concerning ongoing renovation activities at 195 McGregor Street in Manchester, New Hampshire (the "Property") including the Extra Space Storage facility located on the Property. The purpose of the inspection was to determine your compliance with the EPA regulation entitled Residential Property Renovation, codified at 40 C.F.R. Part 745, Subpart E. This Subpart encompasses the Renovation, Repair and Painting ("RRP") Rule.

The **RRP Rule**, effective April 22, 2010, covers any activity that disturbs more than six square feet of interior or 20 square feet of exterior painted surface at pre-1978 housing and child-occupied facilities. Among other things, the RRP Rule requires contractors, trades-people, rental property managers, owners and other firms who disturb painted surfaces (even if it is not known whether the paint contains lead) to:

- be a certified firm and/or a certified renovator;
- provide the property owners and occupants with the EPA pamphlet entitled "*Renovate Right*" before renovation starts;
- obtain confirmation of receipt of the EPA pamphlet from the owner and occupants or a certificate of mailing from the post-office;
- provide written notice describing the planned renovation to each affected unit for work in common areas of multi-family housing;
- use lead-safe work practices as required by the RRP Rule, for example:
 - post warning signs at the entrance to the work area;

- use plastic containment barriers to prevent the spread of dust that may potentially contain lead;
- handle waste in a lead-safe manner;
- prohibit the use of machines designed to remove paint or other surface coatings through high speed operation such as sanding, grinding, power planing, needle gun, abrasive blasting, or sandblasting, on painted surfaces unless such machines have shrouds or containment systems and are equipped with a HEPA vacuum attachment to collect dust and debris at the point of generation. Machines must be operated so that no visible dust or release of air occurs outside the shroud or containment system;
- avoid the use of prohibited practices such as open-flame burning, torching, or operating a heat gun at over 1100°F;
- make sure that the work site is properly cleaned and that a post-renovation cleaning verification or dust clearance testing is conducted; and
- establish RRP project records that document and demonstrate compliance with the RRP Rule and maintain these records for at least three years.

During the January 29, 2014 inspection, I reviewed with you the background and nature of the ongoing renovation activities being conducted at the Property. Based on that inspection and additional EPA examination, EPA has identified the portions of the Extra Space Storage facility and adjacent areas impacted by the renovation activities to be commercial in nature and not target housing as defined by 40 C.F.R. §745.223. Consequently, the RRP Rule requirements do not apply to the renovation activities impacting the specific areas identified in the initial complaint received by EPA.

EPA has identified areas separate from the commercial portions of the Property to be target housing due to the ongoing conversion of these specific areas into residential use. As discussed during the January 29, 2014 inspection, any renovation activities disturbing painted surfaces in these portions of the Property are subject to the RRP Rule requirements. According to Brady Sullivan Properties, LLC, no painted surfaces are being disturbed in the residential areas of the Property.

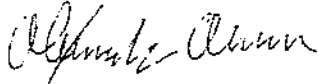
Be advised that on May 6, 2010, EPA announced the commencement of proceedings to determine whether the renovation of public and commercial buildings create hazards, and if so, to propose lead-safe work practices and other requirements. Any new requirements could become effective as early as July 2015. Information about these proceedings can be found here:

<http://yosemite.epa.gov/oepi/rulegate.nsf/byRIN/2070-AJ56>

Issuance of this letter does not preclude EPA from pursuing any other remedies or sanctions authorized by law at any time in the future. EPA is not requesting any further information from you at this time relative to EPA's January 29, 2014 inspection. Please contact me if you have any questions.

Thank you.

Sincerely,



Alexander Aman
Environmental Engineer

Toxics and Pesticides Unit (OES 05-4)

Phone: (617) 918-1722

Fax: (617) 918-0722

Email: aman.alexander@epa.gov

Enclosure

cc: Alma Padilla, US EPA – New England

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Marc A. Pinard, Esq.
General Counsel
Brady Sullivan Properties, LLC
670 North Commercial St.
Manchester, NH 03101

2. Article Number
(Transfer from service label)

7012 2920 0000 2001 8507

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-1

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Denise Rees

☐ Agent

☐ Addressee

B. Received by (Printed Name)

Denise Rees

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

U.S. Postal Service™

CERTIFIED MAIL™ RECEIPT

(Domestic Mail Only, No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

Marc A. Pinard, Esq.
General Counsel

Certified Fee

Return Receipt Fee
(Endorsement Required)

Restricted Delivery Fee
(Endorsement Required)

Total Postage & Fees \$

Postmark
Here

MAR 05 2014

Send To
Brady Sullivan Properties LLC
670 North Commercial St.
Manchester, NH 03101

PS Form 3800, August 2006

See Reverse for Instructions

7012 2920 0000 2001 8507



US ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

TOXIC SUBSTANCES CONTROL ACT
TITLE IV - LEAD HAZARD REDUCTION
NOTICE OF INSPECTION

1. INVESTIGATION IDENTIFICATION

DATE 5/12/15	INSPECTION NO. F16127	DAILY SEQ. NO. 003
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3. NAME & ADDRESS OF INSPECTED ENTITY

Brady Sullivan ^{RESIDENTIAL}
The Lofts @ Mill West ^{COMMON AREAS ONLY}

2. INSPECTOR'S ADDRESS

U. S. Environmental Protection Agency - New England
Five Post Office Square - Suite 100 (OES05-4)
Boston, MA 02109-3912

4. ADDRESS OF INSPECTION

195 McGregor St.
Manchester NH 03102

For Internal EPA Use. Copies may be provided to recipient as acknowledgment of this notice.

RRP INSPECTION

For the purpose of monitoring compliance with the following Subparts of 40 CFR Part 745 Subpart E - Residential Property Renovation (check appropriate blocks):

- ☒ A. Information distribution requirements
- ☒ B. Work practice standards
- ☒ C. Recordkeeping and reporting requirements
- ☒ D. Firm certification
- ☒ E. Renovator certification and dust sampling technician certification
- ☐ F. Other

* NOTE: NO WORK IS BEING CONDUCTED IN THE
COMMON AREAS.

I certify that the statements I have made on this form and all attachments thereto are true, accurate, and complete. I acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.

INSPECTOR'S SIGNATURE

M. Molly Magoon

RECIPIENT'S SIGNATURE

X [Signature]

NAME

M. Magoon

NAME

NANC FINNAD

TITLE

Inspector

DATE SIGNED

5/12/15

TITLE

GENERAL COUNCIL

DATE SIGNED

5/12/15

FILE COPY



US ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460
TOXIC SUBSTANCES CONTROL ACT
TSCA INSPECTION CONFIDENTIALITY NOTICE

1. INVESTIGATION IDENTIFICATION

DATE 5/12/15 INSPECTOR NO. F16127 DAILY SEQ. NO. 003

2. INSPECTOR'S NAME

Molly Magoon

3. INSPECTOR'S ADDRESS

U. S. Environmental Protection Agency - New England
Five Post Office Square - Suite 100 (OES05-4)
Boston, MA 02109-3912

4. FACILITY NAME

Brady Sullivan

5. ADDRESS

195 McGregor St.
Manchester, NH 03102

6. NAME OF CHIEF EXECUTIVE OFFICER

Shane Brady / Arthur Sullivan Co-owners

7. TITLE

Co-Owners

For internal EPA use. Copies may be provided to recipient as acknowledgment of this notice.

TO ASSERT A TSCA CONFIDENTIAL BUSINESS INFORMATION CLAIM

It is possible that EPA will receive public requests for release of the information obtained during the inspection of the facility cited above. Such requests will be handled by EPA in accordance with provisions of the Freedom of Information Act (FOIA), 5 USC 552; EPA regulations issued thereunder, 40 CFR, Part 2; and the Toxic Substances Control Act (TSCA), Section 14. EPA is required to make inspection data available in response to FOIA requests unless the EPA Administrator determines that the data is entitled to confidential treatment, or may be withheld from release under other exceptions of FOIA.

Any or all information collected by EPA during the inspection may be claimed as confidential if it relates to trade secrets, commercial, or financial matters that you consider to be confidential business information (CBI). If you assert a CBI claim, EPA will disclose the information only to the extent, and by means of the procedures set forth in the regulations (cited above) governing EPA's treatment of CBI. Among other things, the regulations require that EPA notify you in advance of publicly disclosing any information claimed as CBI.

A CBI claim may be asserted at any time prior to or during the inspection. If a CBI claim is received after the inspection, EPA will make such efforts as are administratively practicable to protect the information. However, EPA cannot assure that such efforts will be effective in light of the possibility of prior disclosure. If it is more convenient for you to assert a CBI claim on your own stationary or by making the individual documents or samples "TSCA confidential business information," it is not necessary for you to use this notice. The inspector will be glad to answer any questions you may have regarding EPA's CBI procedures.

While you may claim any collected information or sample as CBI, such claims are not likely to be upheld if they are challenged unless the information meets the following criteria:

1. Your company has taken measures to protect the confidentiality of the information and it intends to continue to take such measures.

2. The information is not, and has not been, reasonably obtainable without your company's consent by other persons (other than governmental bodies), or by use of legitimate means (other than discovery based on showing of special need in a judicial or quasi-judicial proceeding).

3. The information is not publicly available elsewhere.

4. Disclosure of the information would cause substantial harm to your company's competitive position.

At the completion of the inspection, you will be given a receipt for all documents, samples, and other materials collected. At that time, you may make claims that some or all of the information is CBI.

If you are not authorized by your company to assert a CBI claim, this notice will be sent by certified mail, along with the receipt for documents, samples, and other materials to the Chief Executive Officer of your company within 2 days of this date. The Chief Executive Officer must return a statement specifying any information which should receive CBI treatment.

The statement from the Chief Executive Officer should be addressed to:

Rosina Toscano
TSCA CBI Document Control Officer
USEPA-New England
5 Post Office Square - Suite 100 (OES05-1)
Boston, MA 02109-3912

and mailed by registered, return-receipt requested mail within 7 calendar days of receipt of this notice. Claims may be made at any time after the inspection, but the inspection data will not be entered into the TSCA/CBI security system until an official confidentiality claim is made. The data will be handled under EPA's routine security system unless and until a claim is made. If no confidentiality claim accompanies the information when it is received by EPA, the information may be made available to the public without further notice to the business.

TO BE COMPLETED BY FACILITY OFFICIAL RECEIVING THIS NOTICE
I acknowledge receipt of this notice:

If there is no one on the premise who is authorized to make CBI claims for this facility, a copy of this notice and other inspection materials will be sent to the company's Chief Executive Officer. If there is another official who should also receive this information, please designate below.

SIGNATURE

[Signature]

NAME

NAME

MARC FINE

TITLE

TITLE

General Counsel

DATE SIGNED

5/12/15

ADDRESS

FILE COPY



CITY OF MANCHESTER
PLANNING AND COMMUNITY DEVELOPMENT
BUILDING REGULATIONS DIVISION
One City Hall Plaza, Manchester, New Hampshire 03101
Phone: (603) 624-6450 Fax (603) 624-6529
E-Mail: pcd@manchesternh.gov www.manchesternh.gov

Leon L. LaFreniere, AICP
Director

Pamela H. Goucher, AICP
Deputy Director Planning & Zoning

Matthew M. Sink
Deputy Director Building Regulations

PERMIT

Application Number 15-00001140
Property Address 195 MCGREGOR ST
Map-Lot: TPK5 -0002
Old Utility Account No.: 11613706000
Tenant nbr, name 110 UNITS
Application type description RESIDENTIAL-NEW, 5+ UNITS
Property Zoning AMOSKEAG MILLYARD
Application valuation 6500000

Date 4/21/15

Owner

BRADY SULLIVAN MILLWORKS, LLC
670 N COMMERCIAL ST
MANCHESTER NH 03101

Contractor

BRADY SULLIVAN/JOHN REED
670 N. COMMERCIAL ST STE 303
JREED@BRADYSULLIVAN.COM
MANCHESTER NH 03101
(603) 851-4052

Permit BUILDING PERMIT
Additional desc
Permit Fee 65000.00
Issue Date 4/21/15
Expiration Date 10/18/15

Plan Check Fee00
Valuation 6500000

Qty	Unit Charge	Per	Extension
6500000.00	.0100	BLDG NEW-OTHER/ALT/RENOV.	65000.00

Special Notes and Comments

Construct 110 dwelling units on ground
and second floors in accordance with
SP-29-2010, PD-9-2010 and CU-22-2010, as
per plans submitted, as per code.

Other Fees
APPLIC FEE - BUILDING 25.00
ARCHIVING FEE 156.00
PLAN REVIEW FEE 2460.00

Fee summary	Charged	Paid	Credited	Due
Permit Fee Total	65000.00	65000.00	.00	.00
Plan Check Total	.00	.00	.00	.00
Other Fee Total	2641.00	2641.00	.00	.00
Grand Total	67641.00	67641.00	.00	.00

Leon L. LaFreniere

Director - Planning & Community Development

APR 21 2015

Date

CONTACT CUSTOMER SERVICE AT LEAST ONE DAY
IN ADVANCE TO SCHEDULE AN INSPECTION.
Appointments left by voicemail will not be accepted.

The Board of Assessors receives copies of all building
permits issued and is authorized to inspect affected
properties. A tax inspection may be scheduled by calling
the Assessor's Office at (603) 624-6520

Pre-1978		Property Name	Actual Address	Address 2	St	Zip
Pre-1978		Gold Street Duplexes	435 & 445 Gold St.	Manchester	NH	03103
Pre-1978		Lofts at Mill Number One	300 Bedford St.	Manchester	NH	03101
Pre-1978	Phase 3 under construction	Lofts at Mill West	195 McGregor St.	Manchester	NH	03102
Pre-1978		Lofts at Mill West Annex	70 Foundry St.	Manchester	NH	03102
Pre-1978		Roysan Street Duplexes	98.142.154.170.184.198.214 Roysan St.	Manchester	NH	03103
Pre-1978		Southside Manor	Circle Rd. & Manor Dr.	Manchester	NH	03103
Pre-1978		Stonehenge Litchfield	15 Woodland Drive	Litchfield	NH	03052
Pre-1978		Stonehenge Londonderry	14.23.25.27.29.31.33.35 Stonehenge Rd.	Londonderry	NH	03053
Pre-1978		American Wire Lofts	413 Central Ave.	Pawtucket	RI	02861
Pre-1978		Grant Mill	299 Carpenter St.	Providence	RI	02909
Pre-1978		Harris Mill Lofts	618 Main St.	Coventry	RI	02816
Pre-1978		Lofts at Anthony Mill	624 Washington St.	Coventry	RI	02816
Pre-1978		Lofts at Pocasset Mill	75 Pocasset St.	Johnston	RI	02919
Pre-1978		Slater Cotton Mill	75 S. Union St.	Pawtucket	RI	02860
Pre-1978	under construction	American Tourister Mill	99 Main Street	Warrten	RI	02885

Les A. Cartier and Associates, Inc.

Plan 1 of 3

Lead Risk Assessments and XRF Inspection Reports Lead Exposure Hazard Reduction Plan

Common Area Risk Assessment, XRF Inspection Report, and Lead Exposure Hazard Reduction Plan

Project:

**195 McGregor Street,
Manchester, NH 03102**

Proposed Final Plan: August 11, 2015

Prepared By:

**American Environmental Testing Services, LLC
1 Hardy Road, Suite #218 Bedford, NH 03110**

Certification of Field Activities

Risk Assessment

Site Location: 195 McGregor St., Manchester NH 03102

Conducted By: Warren Laskey / David Pesce

Title: Risk Assessor

License: NH Risk Assessor # RA-029 / RA-059

I/We hereby certify that sampling and analyses have been conducted pursuant to He-P 1608.04 and accurately represents the conditions in the areas tested on this date

Lead Hazards Identified: ☒ Yes No

Dates: Previous Inspections: Yes, see attached

Lead Dust Wipe Inspections: May 22- July 2, 2015
By Warren Laskey, RA-029 and David Pesce, RA-059. Also see attached reports by NH HHLPPP and private risk assessor, 5/11/15 – 5/18/15

Report Preparation

Prepared By: Warren Laskey

Title: Risk Assessor, NH License RA-029

Dates: May 22 through July 15, 2015

Signature:

Property Owner's are required to disclose lead hazards in accordance with 40 CFR Part 745.107, July 1, 1998 edition entitled, Disclosure Requirements for Sellers and Lessors.

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H. Names/Contact Information/Licenses of personnel

1.0 Executive Summary

American Environmental Testing Services, LLC (AETS) has been retained by Les A. Cartier and Associates, Inc. to perform lead dust analysis inspections and risk assessments at 195 McGregor St., Manchester in response to a renovation project in the building which allowed lead dust to migrate into the occupied residential units and commercial space.

Plan is proposed in three parts:

1. Plan for Lead Risk Assessment and Lead Exposure Hazard Reduction for Lofts at Mill West, Stairwells and Common Areas, 195 McGregor St., Manchester, NH
2. Plan for Lead Dust Wipe Analysis and Lead Dust Hazard Mitigation for Lofts at Mill West, 195 McGregor St., Manchester, NH
3. Plan for Unoccupied Spaces (first and second floors) dust mitigation and renovation for Lofts at Mill West, 195 McGregor St., Manchester, NH

The purpose of this three part plan is to 1) provide full risk assessments in six (previously seven) selected units based upon children present and / or pregnant women identified, with the assessment of the physical condition of components containing lead-based paint in units; common areas and stairwells 2) identify the existence, nature, severity, source and location of dust containing lead (or document that no such hazards were identified) by interpreting analytical measurements of lead in dust, and clean thoroughly where required, and 3) assess unoccupied spaces for dust, mitigate hazards previously identified and propose a renovation plan for these spaces. This document is Plan 2.

The following activities have been completed under either Plan 1 or Plan 2:

1. 98 residential units have been sampled in 10-14 locations each for lead dust per HUD protocol. Cleaning and retesting have been accomplished, with all units achieving passing results. Cleaning activities included:
 - a. Cleaning of interior window sills, troughs, and wells (EPA task 1)
 - b. Cleaning of finished walls (EPA task 7)
 - c. Cleaning of ledges and casings surrounding windows (EPA task 9)
 - d. Cleaning of areas between floorboards and bottom of baseboards (EPA task 9)
 - e. Cleaning of rugs and soft furniture (EPA task 12)
2. Interior common areas (hallways and stairwells) have been sampled for lead dust per HUD protocol. The lower level amenities and leasing office have passed clearance standards. Concentrations are significantly reduced in the hallways, and these areas will be re-cleaned and cleared once all stairwell abatements have been completed, to ensure no contamination is reintroduced.
3. Risk assessments, including XRF inspections, have been conducted in six units occupied by young children.

This plan (Plan2) presents the prioritization, approach, and schedule for completing the remaining tasks for residential units requested by EPA in its July 20, 2015 letter. Currently, all 98 residential

units have achieved lead dust clearance standards on all floors, window sills and window wells. Based on the analysis of Gradient, there is no current health risk to occupants of these units. (see Gradient 2015 memo – Appendix A-5)

2.0 Site Description

195 McGregor St. is a 5 story multi-use mill building with 98 residential units on its north side and commercial units to the south. The building underwent renovation by sandblasting in an unoccupied area of the first floor. The lack of completely effective containment allowed lead dust to migrate into the occupied units, interior common areas and some commercial units.

3.0 Definitions of Lead Based Paint, Lead in Dust and Lead in Soil

The State of NH & U.S. Department of Housing and Urban Development (HUD) have established a definition of lead-based paint as a dried paint film that contains lead greater than **0.5% by weight** when utilizing laboratory analysis or **equal to greater than 1.0 mg/cm²** when utilizing X-Ray Fluorescence (XRF) analysis.

The following lead in dust threshold values are utilized to determine when corrective actions are required:

SURFACE	THRESHOLD LIMIT
Floors	40 ug/ft ²
Interior window sills	250 ug/ft ²
Window wells	400 ug/ft ²

The NH regulation for lead in soil is 400 ppm for play areas or high contact areas and 1200 ppm for residential yards.

4.0 Risk Assessments and XRF Testing in Child Occupied Units (6)

Included in this report are detailed XRF Reports of six (6) child occupied and/or pregnant women occupied units. Field measurements by XRF have been taken using standards set forth in the HUD Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing, 2012.

The detailed reports will show all the readings that were taken by side of building according to street location. As noted on the report floor plans, **Side "A" on the room pages is where the main front of the building (street side) is located.** Going clockwise with your back to the street ("A" side), side "B" will always be to your left, side "C" directly in front of you and side "D" to the right. Doors and windows are designated as left, center or right depending on their location on the room pages. Readings that are greater than or equal to the regulatory limit of 1.0 milligram per centimeter squared (mg/cm²) are entered in the Lead Column of the Report.

The calibration of the RMD LPA-1 is done in accordance with Performance Characteristic Sheets (PCS). The XRF instrument is calibrated using the calibration standard block of 1.0 mg/cm². Three calibration readings are taken before and after each unit is tested to insure manufacturer's standards are met. All calibrations are done in the Standard Mode in accordance with the PCS.

All testing for lead-based paint will be done using the RMD LPA-1 in the *Quick Mode* setting. At least one reading will be taken for each area surveyed.

4.1 XRF Reports of Child Occupied and/or pregnant women occupied units (6) (attachment D)

Units tested by XRF: 312, 322, 331, 409, 421, 428. These units have been assessed by July 15, 2015.

Attachment D

4.2 Paint Condition Assessment in Child Occupied and/or pregnant women occupied units (attachment D)

An assessment of the conditions of painted surfaces has been performed as part of the completion of the risk assessment. The condition of each observed component will be rated in accordance with the criteria established in Chapter 5 – Table 5.3 Conditions of Paint Film Quality of the HUD Guidelines. The following table is a reproduction of the HUD evaluation criteria applied on this project.

Type of Building Component	Total Area of Deteriorated Paint on Each Component	
	Intact	Deteriorated
Exterior components with large surface areas.	Entire surface is intact.	More than 10 square feet.
Interior components with large surface areas (walls, ceilings, floors, doors).	Entire surface is intact.	More than 2 square feet.
Interior and exterior components with small surface areas (window sills, baseboards, soffits, trim)	Entire surface is intact.	More than 10 percent of the total surface area of the component.

The assessment of condition for each painted surface can be found in the XRF Inspection, when completed in the appendix. Each surface is rated D for deteriorated as it corresponds to the information presented above.

5.0 Prioritization and approach for additional lead dust mitigation in residential units:

See Plan 2

5.1 Summary of Summary of Previous Work:

See Plan 2

5.2 Summary of Additional Planned Work:

See Plan 2

6.0 Cleaning Guidelines for Residential Units:

See Plan 2

7.0 XRF Testing of Stairwells and Interior Common Areas:

Appendix E

XRF testing of interior common areas was conducted on July 8, 2015. Interior common areas consist of hallways on 3rd and 4th floors, lower level hallways, and all community rooms. Stairwells tested include the northeast stairwell from 4th floor to ground floor and northwest stairwell from roof to lower level, including freight elevator. The property owner will enclose all walls, ceilings, floors and stairs or otherwise address all lead exposure hazards using RRP certified individuals (with NH DHHS approved

Variance) and work will be complete on or near August 10, 2015.

8.0 COMPLETION OF LEAD RISK ASSESSMENTS AND LEHRP (PART OF APPENDIX D)

Following completion of risk assessments a Lead Exposure Hazard Reduction Plan (LEHRP) has been developed by the risk assessor with abatement or interim control options provided. Abatement activities will be performed by appropriately trained and certified individuals following He-P 1600 rules for abatement. Child occupied units will be abated in addition to cleaning adhering to the prioritization of work outlined in Plan 1, section 5.2

9.0 OPERATIONS AND MAINTENANCE (O&M) PLAN

The O&M plan will be developed for the residential portion of the mill building.

10.0 CLEANING AND ENCLOSURE PLAN FOR UNOCCUPIED SPACES: See Plan 3

Former sandblast areas shall be properly contained according to ECSI Plan dated June 18, 2015 Appendix F in Plan 3.

Summary

Floors, window sills and window wells cleaned to date have achieved clearance standards in all 98 units. As a result, opportunity for exposure to lead in the units is low, and based on the analysis of Gradient, there is no current health risk to occupants of these units. Nevertheless, Brady Sullivan plans to continue several cleanup and mitigation activities as detailed in Plan 2 to reduce the potential for lead exposure. (see Gradient 2015 memo-Appendix A-5)


State of New Hampshire
Healthy Homes and Lead Poisoning Prevention Program
Member of CONEST

LICENSED RISK ASSESSOR
WARREN LASKEY
License # RA-000029

Jose + Barbara
Jose Diaz-Molina, MD
Director, Division of Public Health

Training Due: 08/20/16
Testing Due: 01/17/17

NOT A LEGAL FORM OF ID





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1

5 Post Office Square, Suite 100
Boston, MA 02109-3912

June 19, 2015

Marc Pinard, Esq.
Brady Sullivan Properties, LLC
670 N. Commercial Street
Manchester, New Hampshire 03101

Re: Order to Brady Sullivan Properties, LLC Requiring Cleanup, Testing, Analysis and Reporting Under Section 7003 of the Resource Conservation and Recovery Act

Dear Mr. Pinard:

Thank you for agreeing to remediate the potential and actual imminent and substantial threat to human health from lead-based paint at the Mill West Property managed by Brady Sullivan Properties, LLC ("Brady Sullivan") located at 195 McGregor Street, Manchester, New Hampshire (hereafter the "facility"¹). We appreciate the commitment that you have expressed during our discussions to meet the cleanup requirements at the facility.

EPA has decided that the work will proceed more smoothly at the facility if conducted under an enforceable mechanism. Thus, with this letter, EPA is ordering cleanup, testing, analysis and reporting pursuant to Section 7003(a) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6973(a).

Pursuant to Section 7003 of RCRA, once EPA determines that past or present handling, storage, treatment, transportation or disposal of any solid waste or hazardous waste may present an imminent and substantial endangerment to health or the environment, the Administrator may bring suit on behalf of the United States in the appropriate district court against any person (including any past or present generator, past or present transporter, or past or present owner or operator of a treatment, storage, or disposal facility) who has contributed or who is contributing to such handling, storage, treatment, transportation or disposal, to restrain such person from such handling, storage, treatment, transportation or disposal, to order such person to take such other actions as may be necessary, or both. Further, the Administrator may also, after notice to the affected State, take other action under this section including, but not limited to, issuing such

¹ The term "facility" does not include the Annex Building.

orders as may be necessary to protect public health and the environment.

This Order applies to and binds Brady Sullivan and its officers, employees, trustees, agents, successors, and assigns. No change in ownership, name or corporate status shall alter the obligations to comply with this Order. Brady Sullivan must give notice of this Order to any successors in interest prior to transfer of the facility or its operations and to all contractors, subcontractors, laboratories and consultants retained to help implement this Order. Brady Sullivan must ensure that all such contractors, subcontractors, laboratories and consultants comply with the terms of this Order.

EPA has given the State of New Hampshire notice of the issuance of this Order in accordance with RCRA Section 7003(a), 42 U.S.C. § 6973(a). EPA has provided notice to the City of Manchester, New Hampshire of this action pursuant to Section 7003(c) of RCRA, 42 U.S.C. § 6973(c).

I. LEGAL BASIS FOR ISSUING ORDER UNDER RCRA SECTION 7003

This section outlines the conclusions of law that support EPA's determination that it has jurisdiction and a factual basis to issue an Order pursuant to RCRA Section 7003 to Brady Sullivan. The legal conclusions are based on the facts contained in Attachment I to this Order and to the administrative record compiled by EPA. The record is available for review at EPA's regional office, which is located at 5 Post Office Square, Suite 100, Boston, MA 02109.

EPA has determined that:

- A. Brady Sullivan is a "person" as that term is defined by RCRA Section 1004(15), 42 U.S.C. Section 6903(15).
- B. The lead dust and chipping lead paint at the facility, as identified in Attachment I hereto, constitutes "solid waste" as that term is defined in Section 1004(27) of RCRA, 42 U.S.C. Section 6903(27).
- C. The solid waste referred to in paragraph B. above has been and/or is currently being handled, stored, treated, or disposed of at the facility;
- D. Based on the information described in Attachment I hereto, EPA has determined that present conditions at the facility may present an imminent and substantial endangerment to health or the environment within the meaning of Section 7003(a) of RCRA, 42 U.S.C. Section 6973(a) arising from the past or present handling, storage, treatment or disposal of lead dust (i.e., "solid waste") at the facility;
- E. Brady Sullivan has been and is currently contributing to the handling and/or storage, treatment and/or disposal of such solid waste at the facility which may present an imminent and substantial endangerment to health or the environment;
- F. The actions required by this Order are consistent with RCRA, and are necessary to protect health or the environment;

II WORK REQUIRED UNDER THIS ORDER

- A. Respondent shall **abate the conditions described above by July 15, 2015, by taking, at a minimum, the following steps, in accordance with all applicable federal, state and local laws, regulations and policies:**
1. hire a licensed lead risk assessor and a licensed lead-abatement contractor for the performance of this work;
 2. perform a risk assessment at the facility to identify the extent of the lead contamination and develop a cleanup plan, including a schedule. The cleanup plan shall be submitted to EPA for review and approval.
 3. abate lead dust hazards at the facility in residential apartments and common areas including lead dust on floors, walls, ceilings, window sills, furniture and other objects, and lead paint hazards in common areas; all abated and/or cleaned areas must meet the standard of 40 $\mu\text{g}/\text{ft}^2$, except for interior window sills and window troughs for which the standard is 250 $\mu\text{g}/\text{ft}^2$ and 400 $\mu\text{g}/\text{ft}^2$, respectively;
 4. abate lead dust hazards in the office of the New Hampshire Department of Health and Human Services at the facility, and any other area(s) where children and/or pregnant women might visit;
 5. provide site access to state and federal officials;
 6. conduct clearance sampling at the facility following the abatement, and provide all sampling results to EPA; and
 7. provide by email to Molly Magoon (magoon.molly@epa.gov) written weekly updates describing the work that has been completed and any problems encountered. Updates shall be submitted by close of business each Friday during the period that work is ongoing.
 8. ensure that any sandblast areas at the facility are properly contained until such renovation is completed in accordance with the federal Renovation, Repair and Painting Rule (40 C.F.R. Part 745, Subpart E) as well as state and local requirements.
- B. Within 24 hours of receiving this Order, Respondent shall post signs at appropriate entrances to the facility, advising that EPA has determined that the facility contains solid and/or hazardous wastes (lead-based paint dust and chipping lead-based paint) that may present an imminent and substantial endangerment to human health and the environment. These signs shall be maintained until Brady Sullivan has fully complied with this Order as determined

by EPA.

- C. Brady Sullivan shall use its best efforts to obtain access to residential apartments at the facility to conduct the risk assessment and perform cleanup activities. If Brady Sullivan is unable to obtain access to a residential unit, Brady Sullivan shall notify EPA within 24 hours of such inability.
- D. Off-Site Shipments. All hazardous wastes and constituents removed off-site pursuant to this Order for treatment, storage, or disposal shall be treated, stored, or disposed of at a licensed or permitted RCRA facility.
- E. Compliance with Other Laws. Respondent shall perform all actions required pursuant to this Order in accordance with all applicable local, state and federal laws and regulations.
- F. Final Report. Within thirty (30) days after completion of all actions required under this Order, Brady Sullivan shall submit to EPA a final report certifying that the facility has been abated and/or cleaned of lead dust and meets the standards described in paragraph A. above ("Final Report"). The Final Report shall include a list of quantities and types of materials removed off-site or handled on-site, a list of the ultimate destination of those materials, a presentation of the analytical results of all sampling and analyses performed, and copies of all documentation generated during the Work (e.g., manifests, invoices, bills, contracts and permits). The Final Report shall also include the following certification signed by a person who supervised or directed the preparation of that report:

Under penalty of law, I certify that to the best of my knowledge, after appropriate inquiries of all relevant persons involved in the preparation of the Final Report, the information submitted is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

- E. If EPA determines that the work has not been completed in accordance with this Order, EPA will notify Brady Sullivan, provide a list of the deficiencies, and require that Brady Sullivan take any additional actions necessary to correct such deficiencies. Brady Sullivan shall implement any additional actions specified by EPA according to the schedule set forth in EPA's notice. Brady Sullivan shall then submit a modified Final Report in accordance with the EPA notice. Failure by Brady Sullivan to take the additional actions required by EPA shall be a violation of this Order.

III. INCORPORATION OF DOCUMENTS INTO THIS ORDER

All attachments to this Order are deemed incorporated into, and made an enforceable part of this Order. Upon approval by EPA, all submissions made under this Order shall be deemed incorporated into and made an enforceable part of this Order. Thus, the term "Order" refers to this Order, the attachments to this Order, and all submissions made pursuant to this Order.

IV. MODIFICATIONS

If warranted by conditions at the facility, the designated EPA inspector, after obtaining concurrence from his/her direct supervisor, may agree in writing to modify the deadlines or substantive performance requirements required by this Order.

V. CREATION OF DANGER; EMERGENCY RESPONSE

Upon the occurrence of any incident or discovery of any condition that causes or threatens a release of hazardous waste from the facility or endangerment to human health or the environment, Brady Sullivan must notify immediately Molly Magoon, Office of Environmental Stewardship, at (617) 918-1848, or in the event of her unavailability notify the Regional Duty officer of the Emergency Planning and Response Branch, EPA Region I at (617) 918-1261. Please note that nothing in this Order limits the authority of EPA to take or order all action necessary to protect public health, welfare or the environment or prevent, abate or minimize an actual or threatened release of solid and/or hazardous substances, hazardous wastes, or solid wastes, at or from the facility.

VI. COMMUNITY RELATIONS

At the same time Brady Sullivan submits a cleanup plan to EPA for review and approval, Brady Sullivan shall also submit a plan for communicating the results of the risk assessment and the cleanup plan to the residents of the facility. In addition, Brady Sullivan shall participate, to the extent determined appropriate by EPA, in any community relations plan developed by EPA. Brady Sullivan also shall cooperate with EPA in providing information regarding the work to the public. As requested by EPA, Respondent shall participate in the preparation of information for dissemination to the public and in public meetings which may be held or sponsored by EPA to explain activities at or relating to the Facility.

VII. POTENTIAL CONSEQUENCE OF FAILURE TO COMPLY

In the event that Brady Sullivan fails or refuses to comply with any requirement of this Order, Section 7003(b) of RCRA, 42 U.S.C. Section 6973(b), authorizes EPA to commence a civil action in the U.S. District Court to require compliance and to assess a civil penalty not to exceed

\$7,500 for each day during which failure or refusal occurs.²

We look forward to your continued cooperation in satisfying the requirements of this Order and encourage you to call the following EPA staff members with any questions: Andrea Simpson, Esq. at (617) 918-1738 (for legal issues), or Molly Magoon at (617) 918-1848 (for technical issues).

VIII. RESERVATION OF RIGHTS BY EPA

EPA reserves all rights against Brady Sullivan and all other persons to take any further civil, criminal, or administrative enforcement action pursuant to any available legal authority (including Section 7003(b) of RCRA, 42 U.S.C. Section 6973(b)), and including the right to seek injunctive relief; the recovery of money expended or to be expended (plus interest); monetary penalties; criminal sanctions; and/or punitive damages regarding: (i) any violation of this Order; or (ii) any actual or potential threat to health or the environment, or any release or threat of release of hazardous substances on, at, in, or near the facility. Nothing in this Order shall preclude EPA from taking any additional enforcement actions, including modification of this Order or issuance of additional Orders, and/or additional actions as EPA may deem necessary, or from requiring Respondent in the future to perform additional activities pursuant to RCRA, or any other applicable law.

EPA further expressly reserves the right both to disapprove work performed by Brady Sullivan or its contractors and to request or order Brady Sullivan to perform tasks in addition to those detailed in this Order, including, but limited to, relocating tenants based on the results of the Risk Assessment. In addition, EPA reserves all rights it may have to undertake response actions at any time and to perform any and all portions of the work activities which Brady Sullivan has failed or refused to perform properly or promptly, and to seek reimbursement from Brady Sullivan for its costs, or seek any other appropriate relief.

²RCRA Section 7003(b) specifies that the penalty amount is \$5,000. However, the Debt Collection Improvement Act of 1996 (DCIA), 31 U.S.C. Section 3701, and the Civil Monetary Inflation Rule authorize EPA to add an inflation adjustment to the penalty for violations occurring on or after January 12, 2009 (73 Fed. Reg. 75340 (December 11, 2008)). Thus, together, RCRA and the DCIA authorize a maximum civil penalty of \$7,500 per day for non-compliance with the requirements of this Order.

Notwithstanding any other provision of this Order, EPA shall retain all of its information gathering, entry, inspection, and enforcement authorities and rights under any applicable law, regulation, or permit.

Sincerely,

Susan Studien

Susan Studien
Director
Office of Environmental Stewardship
U.S. EPA, Region 1

cc: Kenneth Schefski, OECA
Beverly Drouin, NH DHHS
Timothy Souci, City of Manchester

ATTACHMENT I

FINDINGS OF FACTS

In support of the issuance of this Order and based upon the information in the Administrative Record of this Order, EPA makes the following Finding of Facts:

1. Mr. Marc Pinard, general counsel to Brady Sullivan Properties, LLC, attested that the property located at 195 McGregor Street, Manchester, New Hampshire ("facility") is owned by Brady Sullivan Millworks, LLC located at 670 N. Commercial Street, Suite 303, Manchester, NH 03101 ("owner"), and is managed by Brady Sullivan Properties, LLC ("operator") (hereinafter "Brady Sullivan"). The main building of the facility, is a four-story, mixed-use property currently containing 98 occupied residential units (located on the third and fourth floors), as well as commercial space within the facility. The main building was built in 1889. There is an adjacent property to the main building which is called "The Annex." The Annex building also is owned and managed by Brady Sullivan, and has approximately 80 residential units. Renovations currently are being made to the first and second floors of the main building to convert a formerly commercial portion of the building into approximately 98 additional residential units, according to a permit issued by the City of Manchester Planning and Community Development Building Regulations Division to Brady Sullivan/John Reed, dated April 21, 2015, to allow Brady Sullivan to: "Construct 110 dwelling units on ground and second floors in accordance with SP-29-2010, PD-9-2010 and CU-22-2010, as per plans submitted, as per code." (See Exhibit #1: Copy of City of Manchester Permit, dated April 21, 2015.)

2. Brady Sullivan hired Environmental Compliance Specialists, Inc. ("ECSI") on or about May 4, 2015, to sandblast paint from a vacant part of the first floor of the four-story facility. Mr. Jesse Wright, CEO of ECSI, informed EPA Inspector Molly Magoon that the sandblasting work on the first floor of the facility started on approximately May 5, 2015.

3. During the course of the sandblasting, several tenants in the facility observed that dust from the work area entering the common areas of the residential portion of the facility. Because of concerns about the dust, tenants of unit #322 hired a licensed lead paint contractor, Alchemy Lead Management, to test dust in their unit and in the common hallway for lead. Dust wipe sampling was performed by Debbie Valente, a licensed Lead Risk Assessor in the State of New Hampshire (NH License # RA-54). The sampling results revealed the presence of lead in the dust.

4. On May 11, 2015, EPA Inspector Magoon received an email, via a co-worker, from Knatalie Vetter, an Environmental Compliance Inspector for the Healthy Homes and Lead Poisoning Prevention Program, Bureau of Public Health Protection Services, New Hampshire Division of Public Health Services, Department of Health and Human Services, State of New Hampshire (hereinafter "NH DHHS"). Inspector Vetter reported that she had received a complaint, forwarded by New Hampshire Department of Environmental Services, from a current

resident of the facility regarding sandblasting work being conducted there. The complainant stated that he found dust and sandblast media in common areas of the facility and that he was concerned about lead in the dust because his young children walk through the common areas. In addition, the Manchester Health Department (Philip J. Alexakos, Chief of Environmental Health and Emergency Preparedness, and Aaron Krycki, Senior Public Health Specialist) visited the facility on the morning of May 11, 2015, upon receipt of a complaint forwarded by NH DHHS. They determined that abrasive paint removal was taking place on the first floor on the north end of the property. They met with a representative of ECSI and determined that ECSI did not possess a valid permit for abrasive paint removal as is required by the Manchester, NH Code of Ordinances, Section 91.20-23. The work was immediately halted.

5. On May 12, 2015, EPA Inspector Magoon, along with two other inspectors for EPA, Scott Pellerin and Alma Padilla (a Senior Environmental Employee/ grantee of EPA), arrived at the facility. At that time, EPA representatives met with representatives of other agencies at the site - Gabriel Porter, of the U.S. Department of Labor, Occupational Safety and Health Administration ("OSHA"); Knatalie Vetter and Ross Malcolm of New Hampshire Department of Health and Human Services ("NH DHHS"); and Philip Alexakos of the City of Manchester Health Department.

6. On May 12, 2015, EPA Inspector Magoon initiated an inspection of Brady Sullivan regarding its compliance with EPA's Renovation, Repair and Painting Rule ("RRP Rule"), which was enacted under the authority of Section 402(c)(3) of the Toxic Substances Control Act ("TSCA").

7. Inspector Magoon interviewed Mr. Marc Pinard, the general counsel for Brady Sullivan, who gave her and the two other inspectors from EPA permission to visually inspect the property. The EPA and the other agency representatives present determined that additional sampling would be required to determine the extent of possible lead contamination.

8. On May 12, 2015, a representative of NH DHHS, Knatalie Vetter, conducted dust-wipe sampling and X-Ray Fluorescent ("XRF") analysis in common areas at the facility.

9. On May 12, 2015, the EPA representatives, accompanied by Marc Pinard and Scott Payrits of Brady Sullivan, and Jesse Wright of ECSI, walked through the facility. While at the facility, the EPA representatives observed dust throughout the interior common areas of the building, along with some chipping paint on walls and doors in the common areas. Further, the inspectors observed that tenants had access to the common hallways where the NH DHHS inspectors had taken dust wipe samples and XRF readings. The EPA inspectors also noticed several children in the common hallways while they were in the building.

10. Representatives of NH DHHS conducted additional sampling at the facility on May 14, 2015.

11. EPA has received the results of XRF testing and dust wipe sampling conducted by NH

DHHS on May 12 and 14, 2015. These results are as follows:

Dust wipe sampling:

May 12, 2015:

Interior Floor - 1st Floor: 1300 $\mu\text{g}/\text{ft}^2$ (standard for floor: 40 $\mu\text{g}/\text{ft}^2$);

Interior Floor - 2nd floor: 610 $\mu\text{g}/\text{ft}^2$ (standard: 40 $\mu\text{g}/\text{ft}^2$);

Interior Floor - 3rd Floor: 630 $\mu\text{g}/\text{ft}^2$ (standard: 40 $\mu\text{g}/\text{ft}^2$);

Interior Floor - 3rd Floor: 630 $\mu\text{g}/\text{ft}^2$ (standard: 40 $\mu\text{g}/\text{ft}^2$);

May 14, 2015:

Interior Floor – Northeast LL Floor: 340 $\mu\text{g}/\text{ft}^2$ (standard: 40 $\mu\text{g}/\text{ft}^2$);

Interior Floor – Northeast Entry LL Floor: 97 $\mu\text{g}/\text{ft}^2$ (standard: 40 $\mu\text{g}/\text{ft}^2$);

Interior – Northeast staircase, Window Sill: 2800 $\mu\text{g}/\text{ft}^2$ (standard for window sill: 250 $\mu\text{g}/\text{ft}^2$)

XRF Testing Results of testing conducted by NH DHHS on May 12, 2015, resulting in the identification of Lead Paint Hazards, are as follows:

Location	Component	XRF Reading	Standard for Lead Paint:
NW Stairwell – Entry (McGregor Street Side)	Inner doors- door jamb	9.5 mg/cm^2 (friction surface)	1.0 mg/cm^2
Exterior (North) (McGregor Street Side)	Exterior window stop	2.5 mg/cm^2 (chipping)	1.0 mg/cm^2
McGregor Street Side	Overhead door frame	31.6 mg/cm^2 (chipping)	1.0 mg/cm^2
NW Stairwell	Wall	18.9 mg/cm^2 (chipping)	1.0 mg/cm^2
NE Stairwell	Painted (tan) brick wall	5.9 mg/cm^2 (chipping)	1.0 mg/cm^2
NE Stairwell	Stair riser	7.8 mg/cm^2 (impact)	1.0 mg/cm^2

All lead testing results mentioned above are attached, as follows:

- Exhibit 2: NH DHHS Report: "Lead Investigation Survey Report," which includes XRF test results;
- Exhibit 3: Laboratory Data 195 McGregor Street, Manchester, NH, compiled by NH DHHS.

12. During the course of the inspection on May 12, 2015, Ms. Magoon advised Mr. Pinard and Mr. Payrits that they would have to hire a certified lead abatement contractor to remediate the entire facility. Subsequently, The City of Manchester and NH DHHS officials, along with EPA representatives held several conference calls since the May 12, 2015 inspection. During a call on May 19, 2015, Brady Sullivan agreed to:

- (a) notify the tenants by May 20, 2015, of the lead contamination concerns in the building;
- (b) hire a licensed lead contractor to remove lead contamination from common areas and any residences where lead dust has been identified;
- (c) hire a licensed lead risk assessor to identify the extent of the contamination in the building and develop a cleanup plan that you will submit to the Agencies for review;
- (d) complete the cleanup using a licensed lead contractor; and
- (e) provide daily updates to the Agencies.

13. Lead, a naturally-occurring metal, is a powerful toxicant with no known beneficial purpose in the human body. Virtually all parts of the human body can be damaged from exposure to lead.

14. Lead has been classified as a probable human carcinogen by the United States Environmental Protection Agency and a possible human carcinogen by the International Agency for Research on Cancer.

15. In adults, chronic exposure to low levels of lead may cause memory and concentration problems, hypertension, cardiovascular disease, and damage to the male reproductive system. Exposure to lead before or during pregnancy can alter fetal development and cause miscarriages.

16. While potentially harmful to individuals of all ages, lead exposure is especially harmful to children, especially those under the age of six. Children's heightened risk level is due not only to children's normal hand-to-mouth behavior which increases their exposure to lead by ingestion, but also children's increased physiological ability to ingest lead into their bodies. Furthermore, the rapidly developing nature of infants' and children's central nervous systems makes children most at risk of permanent harm from exposure to lead. Exposure to lead in children can cause learning disabilities, reduced intelligence, behavioral problems, growth impairment, permanent hearing and visual impairment, and other damage to the brain and nervous system.

17. Dust containing lead is thought to be a major pathway by which people, especially young children, are exposed to lead. Young children are especially susceptible to lead poisoning from

coming into contact with dust that contains lead.

18. EPA has established the following residential lead standards¹:

Dust Hazard:

Floors: 40 $\mu\text{g}/\text{ft}^2$

Interior Window Sills: 250 $\mu\text{g}/\text{ft}^2$

Dust Clearance:

Uncarpeted floors: 40 $\mu\text{g}/\text{ft}^2$

Interior window sills: 250 $\mu\text{g}/\text{ft}^2$

Window troughs: 400 $\mu\text{g}/\text{ft}^2$

Soil Lead Hazard:

Play area: 400 ppm

Average on bare soil: 1200 ppm

19. The dust and chipping paint containing lead at levels currently present at the facility may present an imminent and substantial endangerment to human health and the environment because they cause elevated blood lead levels associated with adverse human health effects. These adverse effects present a substantial risk to the health of children who may enter the facility and tenants of the facility.

20. Brady Sullivan, as property manager of the facility, is currently, and at all times relevant to this Order, has been responsible for the maintenance of the facility.

List of Exhibits:

1. Copy of City of Manchester Permit, dated April 21, 2015;
2. Copy of NH DHHS Report: "Lead Investigation Survey Report," which includes XRF results;
3. Copy of Laboratory Data, 195 McGregor Street, Manchester, NH, compiled by NH DHHS.

¹40 C.F.R. Part 745; 66 Fed. Reg. 1212, (January 5, 2001)

EXHIBIT 1



CITY OF MANCHESTER
PLANNING AND COMMUNITY DEVELOPMENT
BUILDING REGULATIONS DIVISION
One City Hall Plaza, Manchester, New Hampshire 03101
Phone: (603) 624-6450 Fax: (603) 624-6529
E-Mail: pcd@manchesternh.gov www.manchesternh.gov

Leon L. LaFreniere, AICP
Director

Patricia H. Goucher, AICP
Deputy Director Planning & Zoning

Matthew M. Sink
Deputy Director Building Regulations

PERMIT

Application Number 15-00001140
Property Address 195 MCGREGOR ST
Map-Lot: TPK5 -0002
Old Utility Account No.: 11613706000
Tenant nbr, name 110 UNITS
Application type description RESIDENTIAL-NEW, 5+ UNITS
Property Zoning AMOSKEAG MILLYARD
Application valuation 6500000

Date 4/21/15

Owner

BRADY SULLIVAN MILLWORKS, LLC
670 N COMMERCIAL ST
MANCHESTER NH 03101

Contractor

BRADY SULLIVAN/JOHN REED
670 N. COMMERCIAL ST STE 303
JREED@BRADYSULLIVAN.COM
MANCHESTER NH 03101
(603) 851-4052

Permit BUILDING PERMIT
Additional desc
Permit Fee 65000.00
Issue Date 4/21/15
Expiration Date 10/18/15

Plan Check Fee00
Valuation 6500000

Qty	Unit Charge	Per	Extension
6500000.00	.0100	BLDG NEW-OTHER/ALT/RENOV.	65000.00

Special Notes and Comments
Construct 110 dwelling units on ground
and second floors in accordance with
SP-29-2010, PD-9-2010 and CU-22-2010, as
per plans submitted, as per code.

Other Fees	APPLIC FEE - BUILDING	25.00
	ARCHIVING FEE	156.00
	PLAN REVIEW FEE	2460.00

Fee summary	Charged	Paid	Credited	Due
Permit Fee Total	65000.00	65000.00	.00	.00
Plan Check Total	.00	.00	.00	.00
Other Fee Total	2641.00	2641.00	.00	.00
Grand Total	67641.00	67641.00	.00	.00

Leon L. LaFreniere

Director - Planning & Community Development

APR 21 2015

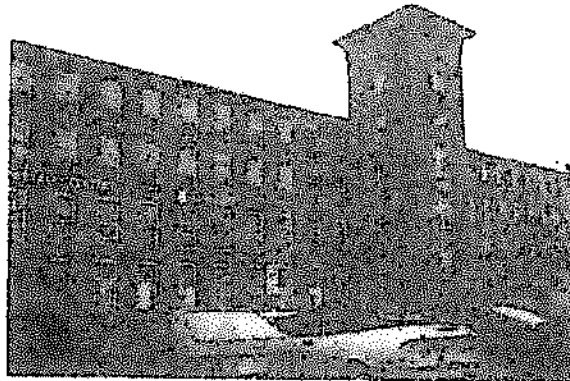
Date

CONTACT CUSTOMER SERVICE AT LEAST ONE DAY
IN ADVANCE TO SCHEDULE AN INSPECTION.
Appointments left by voicemail will not be accepted.

The Board of Assessors receives copies of all building
permits issued and is authorized to inspect affected
properties. A tax inspection may be scheduled by calling
the Assessors Office at (603) 624-6370

EXHIBIT 2

Lead Investigation Survey Report



PROPERTY LOCATION:
The Lofts at Mill West
195 McGregor St.
Manchester, NH 03102
PROPERTY OWNER:
Brady Sullivan Properties, LLC
670 North Commercial St
Manchester, NH 03101

DATE INVESTIGATED:
5/12/2015

INSPECTOR SIGNATURE:

Ross A. Malcolm
Environmental Lead Inspector

X-RAY FLUORESCENT UNIT:	Niton XLp 306A, <input type="checkbox"/> SN 22799 <input checked="" type="checkbox"/> SN 91708
CALIBRATION STANDARD	1.04 mg/cm ²
PRE-CALIBRATION MG/CM²	1.0, 1.0, 1.1
POST CALIBRATION MG/CM²	1.0, 1.1, 1.0
RESOLUTION: 377.3	380.1 (Post)
DEPTH INDEX: 2.6	2.7 (Post)

STATE OF NEW HAMPSHIRE
DEPARTMENT OF HEALTH & HUMAN SERVICES
DIVISION OF PUBLIC HEALTH SERVICES
HEALTHY HOMES AND LEAD POISONING PREVENTION PROGRAM
29 HAZEN DRIVE
CONCORD, NEW HAMPSHIRE 03301

— 1-800-897-LEAD (5323) —

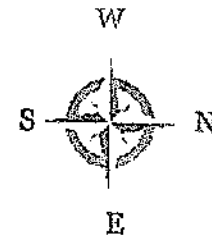


NEW HAMPSHIRE
DIVISION OF
Public Health Services

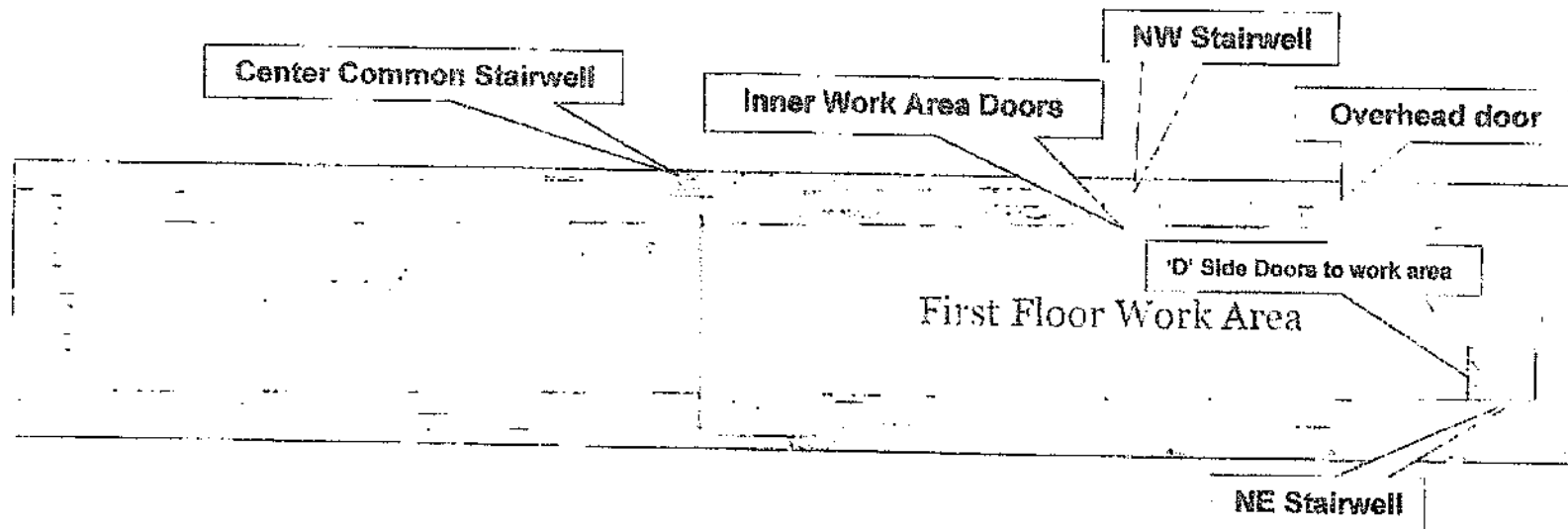
improving health, preventing disease, reducing costs for all
Department of Health & Human Services



Lead Inspection Property Diagram
195 McGregor St, Manchester, NH



A
(McGregor Street Side)



C
Merrimack River Side

Lead Inspection X-Ray Fluorescent Readings
195 McGregor St, Manchester, NH

Room	Side	Component	Color	XRF Reading (mg/cm ²)	Hazard * Y/N	TYPE OF HAZARD			Comments
						Chipping	Friction/ Impact	Chewable	
Inner Work Area	A	Door Jamb	Green	9.5	Y		Y		Inside NW Stairwell
Exterior	A	Window Exterior Stop	Red	2.5	Y	Y			At Gas Meters
Overhead Door	A	Door Frame	Red	31.6	Y	Y			"Loading Dock"
NW Stairwell	B	Wall	Tan	18.9	Y	Y			At 4 th floor
NE Stairwell	A	Brick Wall	Tan	5.9 ^o	Y	Y			At first floor
NE Stairwell	A	Stair Riser	Green	7.8	Y	Intact	Y		First → second floor
NE Stairwell	-	Stair Tread	Green	12.4	Y		Y		First → second floor
NE Stairwell	D	Door	Green	7.3	N	Intact			Door to work area
NE Entry	C	Door (L)	Green	4.6	N	Intact			Doors pinned open
NE Entry	C	Door (R)	Green	4.3	N	Intact			Doors pinned open

*This limited inspection was performed to determine whether a lead exposure hazard as defined by RSA 130-A:1, XVI exists within the dwelling unit. Not all lead exposure hazards have been identified.

EXHIBIT 3

Laboratory Data 195 McGregor Street, Manchester, NH

Sample Name	Third Floor Apt/Location	Date	Collected by	Result	Clearance Standard
BS	Brick Window Sill	5/11/2015	Risk Assessor	6,200 µg/ft ²	250µg/ft ²
US	Upper Window Wood Sill	5/11/2015	Risk Assessor	720 µg/ft ²	250µg/ft ²
W	Window Well	5/11/2015	Risk Assessor	4,400 µg/ft ²	400µg/ft ²
FD	Front Door Floor	5/11/2015	Risk Assessor	2,200 µg/ft ²	40µg/ft ²
FCA	Front Common Area Floor	5/11/2015	Risk Assessor	25,000 µg/ft ²	40µg/ft ²
LSB	Left Window Brick Sill	5/11/2015	Risk Assessor	4,500 µg/ft ²	250µg/ft ²
LW	Left Window Well	5/11/2015	Risk Assessor	4,200 µg/ft ²	400µg/ft ²
CLV	Analytical Field Blank	5/11/2015	Risk Assessor	<10 µg/ft ²	N/A
Sample Name	Northwest Stairwell/Location				
HR	McGregor Street Side Level 1 - hand rail	5/12/2015	HHLPPP	17 µg/ft ²	(Note 4)
ASL1	McGregor Street Side Level 1 – floor sample	5/12/2015	HHLPPP	1,300 µg/ft ²	40µg/ft ²
ASL2	McGregor Street Side Level 2 – floor sample	5/12/2015	HHLPPP	610 µg/ft ²	40µg/ft ²
ASL3	McGregor Street Side Level 3 – floor sample	5/12/2015	HHLPPP	630 µg/ft ²	40µg/ft ²
ASL3	McGregor Street Side Level 3 – floor sample	5/12/2015	HHLPPP	630 µg/ft ²	40µg/ft ²
BS	Analytical Field Blank	5/12/2015	HHLPPP	<0.5 µg/ft ²	N/A
Sample Name	Exterior loose Blast Grit/Paint				
ASBG	McGregor Street Side, NW corner of building – bulk sample	5/12/2015	HHLPPP	2,000 ppm	(Note 5)
Sample Name	Center Entrance Common Stairwell/Location				
L Level Stairwell Floor	McGregor Street Side Lower Level - floor sample	5/14/2015	HHLPPP	28 µg/ft ²	40µg/ft ²
1 st Floor Stairwell	McGregor Street Side 1 st Floor – floor sample	5/14/2015	HHLPPP	41 µg/ft ²	40µg/ft ²
2 nd Floor Stairwell	McGregor Street Side 2 nd Floor – floor sample	5/14/2015	HHLPPP	82 µg/ft ²	40µg/ft ²
3 rd Floor Stairwell	McGregor Street Side 3 rd Floor – floor sample	5/14/2015	HHLPPP	73 µg/ft ²	40µg/ft ²
4 th Floor Stairwell	McGregor Street Side 4 th Floor – floor sample	5/14/2015	HHLPPP	42 µg/ft ²	40µg/ft ²
4 th Floor window sill	McGregor Street Side 4 th floor - Window Sill	5/14/2015	HHLPPP	76 µg/ft ²	250µg/ft ²
4 th Floor window well	McGregor Street Side 4 th Floor - Window well	5/14/2015	HHLPPP	230 µg/ft ²	400µg/ft ²
4 th Floor stair cap	McGregor Street Side 4 th Floor - Stair cap	5/14/2015	HHLPPP	41 µg/ft ²	(Note 4)

Laboratory Data 195 McGregor Street, Manchester, NH

Sample Name	NE Common Stairway	Date	Collected by	Result	Clearance Standard
NE Stairs LL Floor	Northeast corner entry lower level – floor sample	5/14/2015	HHLPPP	340 µg/ft ²	40µg/ft ²
NE Stairs LL Sill	Northeast corner entry lower level - window sill	5/14/2015	HHLPPP	2,800 µg/ft ²	250µg/ft ²
NE Stairs 4 th	Northeast corner entry lower level – floor	5/14/2015	HHLPPP	97 µg/ft ²	40µg/ft ²
"5 th Floor"	Analytical Field Blank	5/14/2015	HHLPPP	<0.5 µg/ft ²	N/A
Sample Name	4 th Floor Apartment				
EWf	Entryway Floor	5/18/2015	HHLPPP	Results pending	40µg/ft ²
LF	Loft Area Floor	5/18/2015	HHLPPP	Results pending	40µg/ft ²
DWS	Dining Room Window Sill	5/18/2015	HHLPPP	Results pending	250µg/ft ²
Sample Name	DHHS District Office				
DHHSWS100WS	Workstation 100 Window Sill	5/18/2015	HHLPPP	Results pending	250µg/ft ²
DHHSIR1WS	Interview Room 1 Hallway Window Sill	5/18/2015	HHLPPP	Results pending	250µg/ft ²
DHHSIR1F	Interview Room 1 Floor	5/18/2015	HHLPPP	Results pending	40µg/ft ²
DHHS LRWS	Lunch Room North Window Sill	5/18/2015	HHLPPP	Results pending	250µg/ft ²
STEL1F	South Tower Entrance level 1 Floor	5/18/2015	HHLPPP	Results pending	40µg/ft ²
51815B	Analytical Field Blank	5/18/2015	HHLPPP	Results pending	N/A
XRF Testing Location	Location/Component	Date	Tester	XRF Result/ (Hazard Type)	Standard
1 st Floor Work area NW Stairwell - Entry	McGregor Street Side Inner doors-door jamb	5/12/2015	HHLPPP	9.5 mg/cm ² (friction surface)	1.0 mg/cm ²
McGregor Street Side Exterior (North)	McGregor Street Side Exterior window stop	5/12/2015	HHLPPP	2.5 mg/cm ² (chipping)	1.0 mg/cm ²
McGregor Street Side overhead door	Overhead door frame	5/12/2015	HHLPPP	31.6 mg/cm ² (chipping)	1.0 mg/cm ²
NW Stairwell	Wall	5/12/2015	HHLPPP	18.9 mg/cm ² (chipping)	1.0 mg/cm ²
NE Stairwell	Painted (tan) brick wall	5/12/2015	HHLPPP	5.9 mg/cm ² (chipping)	1.0 mg/cm ²
NE Stairwell	Stair riser	5/12/2015	HHLPPP	7.8 mg/cm ² (impact)	1.0 mg/cm ²

Laboratory Data 195 McGregor Street, Manchester, NH

XRF Testing Location	Location/Component	Date	Tester	XRF Result/ (Hazard Type)	Standard
NE Stairwell	Stair tread	5/12/2015	HHLPPP	12.4 mg/cm ² (friction)	1.0 mg/cm ²
NE Stairwell	Door (D-side) - paint intact, non-friction side	5/12/2015	HHLPPP	7.3 mg/cm ²	1.0 mg/cm ²
NE Entry doors	Door (left) - paint intact, door fixed open	5/12/2015	HHLPPP	4.6 mg/cm ²	1.0 mg/cm ²
NE Entry doors	Door (right) - paint intact, fixed open	5/12/2015	HHLPPP	4.3 mg/cm ²	1.0 mg/cm ²
XRF Testing Location	4 th Floor Apartment/Component	Date	Tester	XRF Result	Standard
XRF Testing of sandblasted bare wood in apartment, listed below. Some visible paint in wood (not a lead exposure hazard as defined by RSA-130A)					
Dining Room- Merrimack River Side	Baseboard (east side of dining room)	5/18/2015	HHLPPP	0.6mg/cm ²	1.0 mg/cm ²
Loft Area	Ceiling	5/18/2015	HHLPPP	0.3 mg/cm ²	1.0 mg/cm ²
Loft Area	Exposed beam	5/18/2015	HHLPPP	3.7 mg/cm ²	1.0 mg/cm ²
Loft Area	Exposed beam	5/18/2015	HHLPPP	0.4 mg/cm ²	1.0 mg/cm ²

Notes:

- All floor wipe samples are 12"X 12," and results reported as micrograms per square foot ($\mu\text{g}/\text{ft}^2$).
- Window sill/window well wipe sample areas are measured, and results reported as micrograms per square foot ($\mu\text{g}/\text{ft}^2$).
- EPA/HUD Clearance criteria are as follows, for dust wipes:
 - Floors: $40\mu\text{g}/\text{ft}^2$
 - Window sills: $250\mu\text{g}/\text{ft}^2$
 - Window wells: $400\mu\text{g}/\text{ft}^2$.

For soils, the clearance criteria are:

 - Soil <1200ppm
 - Child's play area <400ppm
- No EPA standard for this component. Sampled due to visible dust.
- Blast grit/paint chips, dust found outside containment area, on bldg. exterior. Exceeds EPA soil standard(s) listed above.

Laboratory Data 195 McGregor Street, Manchester, NH

6. X-Ray Fluorescence (XRF) instrument measurements of dried film (paint) on a substrate must be ≥ 1.0 milligram per centimeter squared (mg/cm^2) to be lead paint, by definition. Not every instance of lead paint is necessarily a lead exposure hazard. Lead exposure hazard types (where applicable) are noted on the line item XRF reading.
7. Shaded area indicate laboratory data that exceeds a federal or state limit.
8. For additional definitions, see: <http://www.gencourt.state.nh.us/rsa/html/X/130-A/130-A-1.htm>

Building Sketch:

